

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 92-cr-0178-bhl-3

v.

WALTER WILLIAMS,

Defendant.

ORDER

On February 2, 2020, Defendant Walter Williams filed a motion for compassionate release under 18 U.S.C. §3582(c)(1)(A). (Dkt. 316.) On February 3, 2020, the Court ordered both the Government and Probation to file responses to Williams' motion by February 24, 2021. (Dkt. 319.) Probation has complied with the Court's order, filing a memorandum one day early, on February 23, 2020. (Dkt. 320.) The Government has chosen not to comply with the Court's order. On the deadline for filing its response, the Government filed a three-sentence letter stating that it would "not be filing a brief in opposition and instead leaves resolution of this motion to the discretion of the court." (Dkt. 322.)

The Court's February 3 Order directing the Government to respond to Williams' motion was not a suggestion; it was a Court Order. Waiting until the last day of a Court-ordered deadline to respond, and then filing correspondence saying it won't be responding, is not compliance with the Court's Order. The Court will allow the Government seven days to bring itself into compliance with the February 3 Order. If the Government does not oppose Williams' motion, it should state that position in its response. If the Government opposes the motion, it should explain the basis for its opposition. If the Government needs more time to respond, it should file a motion asking the Court for relief from the Order. Choosing to disregard the Court's directive is not an acceptable response.

IT IS HEREBY ORDERED that Government shall file a response to Williams' motion no later than March 4, 2021.

Dated at Milwaukee, Wisconsin on February 25, 2021.

s/ Brett H. Ludwig

BRETT H. LUDWIG

United States District Judge